

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MICHAEL TYBERG

v.

ALBERT EINSTEIN COLLEGE OF MEDICINE OF  
YESHIVA UNIVERSITY, ET AL

ATTORNEY:  
Kroll, Moss & Kroll  
Case No. 07-CV 2262  
Date of Filing: 3/16/07  
Judge Brieant (CLB)

ECF CASE

**Affidavit of Service**

STATE OF NEW : COUNTY OF NASSAU: ss:

THE UNDERSIGNED DEPONENT BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION AND IS OVER THE AGE OF 18 YEARS AND RESIDES WITHIN THE STATE OF NEW YORK.

That on March 19, 2007 at 1:11 p.m. at 1300 Morris Park Ave., Belfar Bldg., Bronx, N.Y. 10461

Deponent served the within Summons and Complaint in a Civil Case upon JAMES DAVID, M.D.

**(Suitable Age Person)**

By delivering a true copy of each to LOYDA CRUZ (Sr. Secty. at Office of Education) a person of suitable age and discretion. Said premises are Recipient's actual place of business within the State of New York.

**Deponent describes the individual served as follows:**

<u>Sex</u>	<u>Skin Color</u>	<u>Hair Color</u>	<u>Age</u>	<u>Height</u>	<u>Weight</u>
Female	white	red/brown	42	5'5"	130

**(Mailing To Business)**

Within 24 hours of service (3/20/07) deponent enclosed a copy of same in postpaid envelope addressed to recipient at recipient's actual place of business in an official depository under the exclusive care of the United States Postal Service within New York State. The envelope bore the Legend "**Personal & Confidential**" & did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or concerned an action against the recipient.

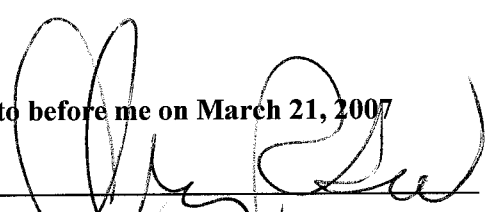
**(Non-Military)**

Deponent asked the recipient whether JAMES DAVID, M.D. was in active military service of the United States or of the State of New York in any capacity whatsoever and received a negative reply. Upon information and belief I aver that JAMES DAVID, M.D. is not in the military service of New York State or of the United States.

Sworn to before me on March 21, 2007



Michael Weiner  
License No.1145455



ALIZA ROSHAN  
NOTARY PUBLIC, STATE OF NEW YORK  
NO. 01R06030066  
QUALIFIED IN NASSAU COUNTY  
COMMISSION EXPIRES SEPTEMBER 7, 2009

ORIGINAL

Certified Lawyers Service